

REPORTER'S TRANSCRIPT

MOTION HEARING

Friday, July 1, 2011

- 3 -

BEFORE: THE HONORABLE T.S. ELLIS, III
Presiding

APPEARANCES: PATRICIA T. GILES, AUSA
United States Attorney's Office
2100 Jamieson Ave.
Alexandria, VA 22314

For the Government

DAVID T. WILLIAMS, ESQ.
William B. Cummings, PC
P.O. Box 1177
Alexandria, VA 22313 , ESQ.

For the Defendant

—

MICHAEL A. RODRIGUEZ, RPR/CM/RMR
Official Court Reporter
USDC, Eastern District of Virginia
Alexandria, Virginia

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COURT DISCUSSION WITH THE PARTIES

4

(Court recessed)

1

PROCEEDINGS

2

3

(Court called to order at 9:07 a.m. in USA v.

4

Juarez-Santamaria.)

5

THE CLERK: Criminal case number 1:11-cr-217,

6

United States of America versus Jose Ciro Juarez-Santamaria.

7

Will counsel please note --

8

THE COURT: All right. We have --

9

THE CLERK: -- your appearance [sic] for the
record.

10

THE COURT: -- an interpreter.

11

Before we have the appearances, let's have the
interpreter come to the podium.

12

Give me your name and your qualifications as an
interpreter.

13

THE INTERPRETER: Good morning, your Honor.

14

Johnny Benningfield, US federally certified Spanish-English
court interpreter.

15

THE COURT: All right. I don't recall that
you've worked in this courtroom before.

16

THE INTERPRETER: The last name I appeared
before your Honor was in 2004.

17

THE COURT: My heavens. All right. Well,
obviously, you have served as an interpreter on numerous
occasions in this court; is that correct?

1 THE INTERPRETER: Before the Eastern District
2 of Virginia hundreds of times.

3 THE COURT: And you are able to translate
4 simultaneously from English to Spanish and Spanish to
5 English?

6 THE INTERPRETER: I am, your Honor.

7 THE COURT: All right.

8 The interpreter is fully competent and
9 qualified to serve as such.

10 You may administer the oath to him.

11 (Interpreter sworn.)

12 THE COURT: All right. Now let's have the
13 appearances.

14 For the government?

15 ATTORNEY GILES: Good morning, your Honor.
16 Patricia Giles for the United States.

17 THE COURT: Good morning, Ms. Giles.

18 ATTORNEY WILLIAMS: Good morning, your Honor.
19 David Williams for Mr. Jose Juarez-Santamaria, who is also
20 present with the assistance of the court interpreter.

21 THE COURT: All right.

22 I don't know why we are assembled here, since
23 there is no objection to the pending motion, but I need to
24 know a bit about it.

25 You wish to have a delay in the deadline for

1 motions. The deadline has passed, has it not?

2 ATTORNEY WILLIAMS: Yes, it has, your Honor.

3 THE COURT: What's the trial date?

4 ATTORNEY WILLIAMS: July 26th, your Honor.

5 THE COURT: What's the -- and what additional
6 time would you like?

7 ATTORNEY WILLIAMS: Your Honor, I was -- when
8 filed, I was not anticipating needing to file additional
9 motions. I am not anticipating needing to file additional
10 motions at this time.

11 Out of an abundance of caution because the
12 discovery provided, although voluminous, is somewhat
13 extensively blacked out due to the nature of the case, I
14 felt that it was necessary to protect my client's interest
15 by saying that if things do arise throughout the rest of
16 discovery, I feel the need that I may need to file
17 additional motions. That's the --

18 (Simultaneous discussion.)

19 THE COURT: Discovery --

20 ATTORNEY WILLIAMS: -- only reason --

21 THE COURT: -- been completed?

22 ATTORNEY WILLIAMS: Discovery other than the
23 close-to-trial discovery that is part of any case, your
24 Honor. But discovery has been completed. I have now
25 reviewed the redacted versions of various documents at the

1 government's office, and --

2 THE COURT: Do you anticipate now -- are you
3 requesting an opportunity to file any motion?

4 ATTORNEY WILLIAMS: Not any specific motion at
5 this time, your Honor.

6 THE COURT: Well, then, it seems to me that the
7 proper thing to do is to deny the motion, and if you have a
8 motion that you wish to file, you'll have to seek leave and
9 explain to me why it's tardy.

10 ATTORNEY WILLIAMS: Very good, your Honor.

11 THE COURT: Ms. Giles, what's the indictment?

12 ATTORNEY GILES: It's -- the charge is
13 conspiracy to transport a minor for purpose of prostitution
14 and also sex trafficking of a child. It's conspiracy to do
15 both, your Honor, and then a substantive charge for each.

16 THE COURT: I think it's worth noting that I
17 have double-booked for that particular date.

18 ATTORNEY WILLIAMS: May we approach, your
19 Honor?

20 THE COURT: Yes.

21 ATTORNEY WILLIAMS: This is jointly?

22 THE COURT: Come. And the defendant may come,
23 as well.

24 (Sidebar conference held, under seal.)

25 (End of portion under seal.)

1 ATTORNEY WILLIAMS: Thank you.

2 ATTORNEY GILES: Thank you.

3 THE COURT: Let's proceed.

4 (End of sidebar conference, open court as
5 follows:)

6 (Court recessed in USA v. Juarez-Santamaria.)

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2 CERTIFICATE

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4 I, MICHAEL A. RODRIQUEZ, an Official Court
5 Reporter for the United States District Court, in the
6 Eastern District of Virginia, Alexandria Division, do hereby
7 certify that I reported by machine shorthand, in my official
8 capacity, the proceedings had upon the motions hearing in
9 the case of UNITED STATES OF AMERICA v. JOSE CIRO
10 JUAREZ-SANTAMARIA.

11

12 I further certify that I was authorized and did
13 report by stenotype the proceedings in said motions hearing,
14 and that the foregoing pages, numbered 1 to 8, inclusive,
15 constitute the official transcript of said proceedings as
16 taken from my machine shorthand notes.

17

18 IN WITNESS WHEREOF, I have hereto subscribed my
19 name this 6th day of January, 2012.

20

21

/S/

22 Michael A. Rodriguez, RPR/CM/RMR
23 Official Court Reporter

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25